

**PENN-AMERICA INSURANCE
COMPANY,**

Plaintiff

v.

**MICHAEL DAIGLE d/b/a MIKE’S
CARPENTRY, et al,**

Defendant

V.

The United States Magistrate Judge filed with the Court on May 26, 2009, his Recommended Decision (Docket No. 44). Defendant Lee Lavigne filed his Objection to the Recommended Decision (Docket No. 45) on June 8, 2009. Plaintiff filed its Response to Defendant Lavigne's Objection to the Recommended Decision (Docket No. 46) on June 25, 2009.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.

2. It is hereby **ORDERED** that Plaintiff's Motion for Summary Judgment (Docket No. 36) is **GRANTED**.

/s/George Z. Singal
U.S. District Judge

Dated: July 7, 2009

Plaintiff

**PENN AMERICA INSURANCE
COMPANY**

represented by **H. PETER DEL BIANCO , JR.**
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Defaulted Party

MICHAEL DAIGLE
doing business as
MIKE'S CARPENTRY

Defendant

LEE LAVIGNE

represented by **AARON KENNETH BALTES**
NORMAN, HANSON & DETROY
415 CONGRESS STREET
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Counter Claimant

LEE LAVIGNE

represented by **AARON KENNETH BALTES**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Counter Defendant

**PENN AMERICA INSURANCE
COMPANY**

represented by **H. PETER DEL BIANCO , JR.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TERESA M. CLOUTIER
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